

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

LOUIS LOPEZ §
VS. § CIVIL ACTION NO. 1:08cv66
27TH DISTRICT COURT §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Louis Lopez, an inmate confined in the Jester I Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner states he was previously convicted of possessing cocaine in the 27th District Court of Lampasas County, Texas.

Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the federal judicial district in which he was convicted or the district in which he is incarcerated.

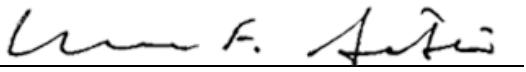
The conviction complained of occurred in Lampasas County. Pursuant to 28 U.S.C. § 124, Lampasas County is in the Austin Division of the United States District Court for the Western District of Texas. Moreover, petitioner is currently confined at the Jester I Unit, which is in Fort Bend County, Texas. Pursuant to Section 124, Fort Bend County is located in the Houston Division

of the United States District Court for the Southern District of Texas.

As the above paragraph indicates, petitioner is neither incarcerated in, nor does he complain of a conviction which occurred in, the Eastern District of Texas. As a result, this court lacks jurisdiction over the petition.

As the records and witnesses regarding petitioner's conviction may be located in the Austin Division of the Western District, this petition shall be transferred to such district and division. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 6 day of February, 2008.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE